

HONORING DR. ROBERT
SMOTHERMAN

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to pay tribute to a remarkable individual from my home district. Dr. Robert Smotherman, school superintendent of the Bardstown Independent School System, is retiring this month, bringing his distinguished career as an educator to a close.

Before becoming Superintendent in 1983, Dr. Smotherman spent a nine year tenure as principal and assistant superintendent in the Kingsport, TN school system. He earlier taught in schools in Atlanta, Birmingham, and Nashville. During his 22 years as superintendent, Bardstown Independent Schools has been a catalyst for many Kentucky firsts including first in the state to create a private educational foundation to raise money for the school district; the first district to offer an educational program for all three and four year olds regardless of economics or special needs; the first district to mandate school uniforms; and the first district in Kentucky to move to a year round calendar at all schools. He has also been a tireless advocate, throughout his tenure, for effective Adult Education. The current program offers a wide range of educational opportunity and the GED program, producing over 150 graduates annually.

Dr. Smotherman has been a consistent recipient of academic and community honors including being named one of the "Top 100 Superintendents in America" by Executive Educator Magazine, the Kentucky Department of Education's "Good Apple" Award, the American Legion Award for Educational Excellence, and the Jenson Award from the National Association for Year Round Schools, recognizing his outstanding leadership in a movement that he helped to organize. Dr. Smotherman served on the NAYRE Board of Directors and was later elected President of the national organization, the first Kentuckian to hold that position. In 2003, Dr. Smotherman was named to the Bardstown-Nelson County "Hall of Fame."

I applaud Robert Smotherman's accomplishments in public education, an occupation of great responsibility and ever greater reward, motivating young people to recognize and develop their talents and abilities. On behalf of so many in the Bardstown area, I would like to express my profound appreciation for his service and inspiration to the countless men and women who have benefited from his generosity and vision.

It is my great privilege to recognize Robert Smotherman today, before the entire U.S. House of Representatives, for his many achievements as an educator. His unique dedication to the development and well-being of young people and the communities they now serve make him an outstanding citizen worthy of our collective honor and respect.

PRIVATE PROPERTY RIGHTS
PROTECTION ACT

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. SENSENBRENNER. Mr. Speaker, today I am introducing H.R. 3135, the Private Property Protection Act.

On June 23, the Supreme Court, in a 5 to 4 decision in *Kelo v. City of New London*, held that "economic development" can be a "public use" under the Fifth Amendment's Takings II Clause. In doing so, the Supreme Court allowed the government to take private property from one small homeowner and give it to a large corporation for a private research facility.

As the dissent in that case pointed out, under the majority's opinion, "Any property may now be taken for the benefit of another private party . . . [T]he government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result."

In 1795, a Supreme Court more in touch with the true meaning of the Constitution declared "possessing property, and having it protected, is one of the natural, inherent, and unalienable rights of man . . . No man would become a member of a community, in which he " could not enjoy the fruits of his honest labour and industry. The preservation of property then is a primary object of the social compact. . . ."

And Abraham Lincoln often spoke of how at the heart of the evil practice of slavery was a denial of property rights: "It is the same tyrannical principle," he said. "It is the same spirit that says, 'You work and toil and earn bread, and I'll eat it.'"

Sadly, the Supreme Court imposed such a tyranny on all Americans on June 23.

Today I am introducing the Private Property Rights Protection Act to restore the property rights of all Americans the Supreme Court took away last week. This legislation will prevent the Federal government from using economic development as a justification for taking privately owned property. It will also prohibit any State or municipality from doing the same thing whenever Federal funds would be involved with the project. Federal taxpayers should not be forced to contribute in any way to the abuse of government power.

The NAACP and the AARP have said, "The takings that result [from the Court's decision] will disproportionately affect and harm the economically disadvantaged and, in particular, racial and ethnic minorities and the elderly."

The American Farm Bureau Federation stated "each of our members is threatened by the decision . . . with the loss of productive farm and ranch land solely to allow someone else to put it to a different private use . . ."

And the representatives of religious organizations have stated that the Supreme Court's decision will "grant municipalities a special license to invade the autonomy of and take the property of religious institutions. Houses of worship and other religious institutions are, by their very nature, non-profit and almost universally tax-exempt. These fundamental characteristics of religious institutions render their property singularly vulnerable to being taken under the rationale approved by the [Supreme] court."

I ask all my colleagues to support this legislation, and to ensure that churches, homes, farms, and other private property cannot be bulldozed in abusive land grabs that redound to the sole benefit of other private individuals whose only claim to that land is that their greater wealth will increase tax revenues.

IN HONOR OF DR. EARL J.
LENNARD

HON. JIM DAVIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. DAVIS of Florida. Mr. Speaker, I rise in honor of Dr. Earl J. Lennard, who after 41 years of service to Florida's schools, students and teachers, is retiring today from his position as Superintendent of Hillsborough County School District. In his nine years leading one of our nation's largest school districts, Earl loyally and skillfully shepherded Hillsborough schools through a time of unprecedented change.

When Earl graduated from the University of South Florida, he started teaching elementary school to save money to go to law school. Fortunately for us, Earl immediately fell in love with teaching and the opportunity it gave him to help kids. Always known for his strong rapport with students, Earl taught for 15 years before he moved into administration and rapidly ascended through the ranks, improving the school system as he progressed.

In 1996, after only six months as deputy superintendent for schools, Earl was promoted to superintendent. Most anyone would have been daunted by the challenges he faced—rapidly growing student populations with ever tightening budgets—but Earl went straight to work and soon became one of Florida's most respected superintendents.

During his tenure, Hillsborough schools gained nearly 49,000 students. Earl oversaw the design, construction and renovation of more than 60 schools, and thanks to these efforts, double sessions were eliminated and the number of portable classrooms was cut in half.

Earl is a tireless advocate for our schools, and even in the face of political pressures, he always had the courage to openly and honestly speak out for students and teachers. Those who had the privilege to work with him know him to be loyal, kind and always friendly. I consider it an honor to call Earl my friend and I have always appreciated his thoughtful counsel on education issues as I have served in the Florida Legislature and in Congress.

On behalf of the Tampa Bay community, I would like to extend my deepest appreciation to Earl for his lifetime of service and wish him the best of luck in all his future endeavors.

PERSONAL EXPLANATION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. LEWIS of Georgia. Mr. Speaker, I was unable to cast rollcall votes 336 and 344 on June 29, 2005. I had planned to be present for most of these votes and had planned my flight